



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

September 27, 2011

ERIC TURNER, TREASURER
MASSACHUSETTS DEMOCRATIC STATE
COMMITTEE - FED FUND
77 SUMMER STREET, 10TH FLOOR
BOSTON, MA 02110

Response Due Date
11/01/2011

IDENTIFICATION NUMBER: C00089243

REFERENCE: AMENDED JUNE MONTHLY REPORT (05/01/2011 - 05/31/2011),
RECEIVED 08/04/2011

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 6 item(s):

1. Schedule A of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(c) prohibit a State, district or local party committee (combined) from receiving any contribution from a person or non-multicandidate political committee in excess of \$10,000 per calendar year.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained if within 60 days of receipt, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within 60 days of receipt you (1) transferred the excessive amount to an account not used to influence federal

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elections, and (2) provided written notice to the person making the contribution of the option of receiving a refund. Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or transfers to a non-federal account were not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR §103.3(b))

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any transfer-out or refund. In addition, any reattributions should be reported as memo entries on Schedule A of the report covering the period during which the authorization for the reattribution is received. Any transfers-out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report during which the transaction was made.

Although the Commission may take further legal action regarding the acceptance of an excessive contribution(s), prompt action by your committee to seek reattribution, transfer-out or refund the excessive amount will be taken into consideration.

2. A review of the reports filed by your committee (see attached) indicates that your committee received one or more transfers from the "DEMOCRATIC NATIONAL COMMITTEE" which has not been disclosed on their report(s) of receipts and disbursements. Please provide clarifying information regarding the source of the transfer(s) received by your committee. (11 CFR §104.3(b))

3. Schedule A of your report discloses one or more contributions totaling \$3,100 from "1199SEIU United Healthcare Workers East" and the "Massachusetts Teachers Association," which appears to be a corporation(s) and/or labor organization(s). 2 U.S.C. §441b(a) prohibits the receipt of contributions from corporations and labor organizations unless made from separate segregated funds established by the corporations and labor organizations.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

If you have received prohibited contributions, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice

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to the person making the contribution of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from a donor for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly in writing and provide a photocopy of your check for any transfer out or refund. In addition, any transfers out or refunds should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the period during which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee to transfer out or refund the amount will be taken into consideration.

4. Schedule A of your report discloses apparent contributions from corporations and labor organizations totaling \$3,500. You are advised that contributions from corporations and labor organizations are prohibited by the Act, unless made from separate segregated funds established by the corporations and labor organizations. (2 U.S.C. §441b(a) & 11 CFR §103.3(b)(1) and (2))

The Commission notes the refunds of the prohibited contribution(s) disclosed on your Amended July Monthly Report (6/1/11-6/30/11), received 8/4/11. Although the Commission may take further legal action concerning this matter, your prompt action in refunding the contribution(s) will be taken into consideration.

5. Your report discloses \$4,150 from "Citizens for Public Schools, Inc.," "Massachusetts Institute for a New Commonwealth, Inc. d/b/a MassInc," "Public Higher Education Network of Massachusetts, Inc.," "COMMITTEE FOR A DEMOCRATIC SENATE PAC," "American United Mass," the "BOSTON TEACHERS UNION," "Civil Liberties Union," Richard E. Neal for Congress Committee," "CAMBRIDGE OFFSET PRINTING," and "Ghostwriter Web Services, Inc." in Offsets to Operating Expenditures on Line 15 of the Detailed Summary Page. Please be advised that if there are not corresponding expenditures for these entries, it may constitute an excessive or prohibited contribution. Please amend your report or provide an explanation for this apparent discrepancy. (2 U.S.C 434(b) & 11 CFR § 104.3(a) and (b))

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6. Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Transfers from Affiliate/Other Party Committees should be properly disclosed on a separate Schedule B, supporting Line 12 of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing. (2 U.S.C § 434(b) and FORM 3X Instructions)

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1173.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley A Carter", with a stylized flourish at the end.

Ashley Carter
Senior Campaign Finance Analyst
Reports Analysis Division

Excessive Contribution from a Committee/Individual
Massachusetts Democratic State Committee - Fed Fund (C00089243)

Contributor Name	Date	Amount	Report
Paul M Bernon	2/16/11	\$10,000.00	2011 March Monthly
Paul M Bernon	5/13/11	\$2,500.00	2011 June Monthly
Paul M Bernon	5/18/11	-\$2,500.00	2011 June Monthly
Paul M Bernon	5/25/11	\$2,500.00	2011 June Monthly

Transfer Received Not Disclosed by Donor Committee
Massachusetts Democratic State Committee - Fed Fund (C00089243)

Contributor Name	Date	Amount	Report
DEMOCRATIC NATIONAL COMMMITTEE	5/5/11	\$1,000.00	2011 June Monthly
DEMOCRATIC NATIONAL COMMMITTEE	5/27/11	\$1,000.00	2011 June Monthly